

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

UNITED STATES OF AMERICA,  
*Plaintiff,*  
  
v.  
  
3.17 ACRES OF LAND, MORE OR  
LESS, SITUATED IN STARR COUNTY,  
TEXAS; AND JUAN MONTALVO,  
ET AL.,  
*Defendants.*

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CASE NO. 7:08-CV-177

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**JOINT STATUS REPORT**

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On November 9, 2020, the Court set a deadline for the United States of America (hereinafter “United States”) to file a status report by December 4, 2020<sup>1</sup>. Pursuant to that Order the United States and Defendants Noelia Montalvo Munoz and Sylvia M. Ramirez hereby inform the Court as follows:

1. At the status conference on October 21, 2019, the Court ratified the United States’ plan to file a joint motion requesting partial judgment for each tract as the issue of just compensation was resolved, with the joint motion for the final tract requesting a final judgment for the case in its entirety. On July 27, 2020, the Court entered an Order<sup>2</sup> granting the following: (1) Amended Joint Motion for Order Establishing Just Compensation for Tracts RGV-RGC-1079 and RGV-RGC-1079E, Granting Possession, and Distributing Funds on Deposit in the Registry of the Court<sup>3</sup>, (2) Joint Motion for Order Establishing Just Compensation, Granting Possession, and

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<sup>1</sup> Dkt. No. 154.

<sup>2</sup> Dkt. No. 139.

<sup>3</sup> Dkt. No. 113.

Distributing Funds on Deposit in the Registry of the Court as to Tract RGV-RGC-1104<sup>4</sup>, and (3) Joint Motion for Order Establishing Just Compensation, Granting Possession, and Distributing Funds on Deposit in the Registry of the Court for Tract RGV-RGC-1081<sup>5</sup>. As a result, the following are the only tracts remaining in the case:

**Tract RGV-RGC-1082**

1. The United States and Defendants Jose Ignacio Gutierrez, Ignacio Guerra, III, Myra Guerra, Omar Guerra, Sara Cecilia Martinez as Executrix for the Estate of Maria Cecilia G. Martinez, Rosario G. Pope, Celeste G. Narro, and Maria Iris G. Trevino, have a Joint Motion Establishing Just Compensation, Granting Possession, and Distributing Funds on Deposit in the Registry of the Court for Tract RGV-RGC-1082, with attached proof of ownership as exhibits, pending before the Court.<sup>6</sup>

**Tracts RGV-RGC-1077, 1077E, and 1080**

2. The United States and Defendants Jose Ignacio Gutierrez, Ignacio Guerra, III, Myra Guerra, Omar Guerra, Sara Cecilia Martinez as Executrix for the Estate of Maria Cecilia G. Martinez, Rosario G. Pope, Celeste G. Narro, Maria Iris G. Trevino, and Laura G. Sandoval as Executrix for the Estate of Elisa D. Gutierrez have a Joint Motion Establishing Just Compensation, Granting Possession, and Distributing Funds on Deposit in the Registry of the Court for Tracts RGV-RGC-1080, RGV-RGC-1077, and RGV-RGC-1077E, with attached proof of ownership as exhibits, pending before the Court.<sup>7</sup>

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<sup>4</sup> Dkt. No. 122.

<sup>5</sup> Dkt. No. 133.

<sup>6</sup> Dkt. No. 158.

<sup>7</sup> Dkt. No. 157.

**Tract RGV-RGC-1078 and 1078E**

3. On December 3, 2020, counsel for Defendants Noelia Montalvo Munoz and Sylvia M. Ramirez advised the United States that their clients are grieving the death of their mother which has prevented them from finalizing settlement negotiations, as such, Defendants Noelia Montalvo Munoz and Sylvia M. Ramirez are requesting an additional 60 days to consider the United States' counteroffer from July 27, 2020.

**CONCLUSION**

The United States is unopposed to Defendants Noelia Montalvo Munoz and Sylvia M. Ramirez's request for additional time. If settlement is not reached within 60 days, a scheduling order for Tracts RGV-RGC-1078 and RGV-RGC-1078E will be necessary.

Respectfully submitted,

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**TEXAS CIVIL RIGHTS PROJECT**

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**CERTIFICATE OF SERVICE**

I certify that on December 4, 2020, a copy of the foregoing was electronically filed in the CM/ECF system, which will automatically serve a Notice of Electronic Filing on counsel of record, and by regular U.S. mail on December 9, 2020, to all *pro se* Defendants listed in this cause.

By: s/ N. Joseph Unruh

**N. JOSEPH UNRUH**

Assistant United States Attorney